

THE MEAD LAW FIRM, P.C.

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VIA ECF

United States Magistrate Judge Sanket J. Bulsara
United States District Court: Eastern District of New York
225 Cadman Plaza East, Chambers 304N, Courtroom 324N, Brooklyn, New York 11201

Re: Letter as to effect of settlement in principle on Motion to Quash Subpoenas; for a Protective Order and for an Interim Stay of Chase Bank Compliance pending the Outcome of the Motion; Government Employees Ins. Co. et al v. Eric Kenworthy, MD et al, EDNY, 22-cv-03728-LDH-SJB

Dear Magistrate Judge Bulsara:

This firm represents Non-Party, Law Offices of Zara Javakov, P.C. (hereinafter “ZJPC”), as Your Honor is aware a prior motion to quash has been filed in this action on behalf of ZJPC. The undersigned has meet/conferred with Plaintiffs’ counsel regarding the issues addressed herein.

According to the Court docket, after the motion to quash was briefed, Plaintiffs have now filed notice that the Plaintiffs have reached a settlement in principle with the defendants. As this notice occurred after the motion to quash was filed the undersigned was unable to address it with the Court. However, given Plaintiffs’ recent representation it would seem prudent for Plaintiffs’ Counsel to advise the Court and ZJPC if they will be withdrawing the non-party subpoenas so as to not waste judicial resources and resources of a non-party and its bank, in litigating an issue that should soon become moot.

In the meantime, without either an interim stay order, Plaintiffs’ withdrawal of the subpoena or agreement not to view these records should the bank disclose them, ZJPC risks that all of its bank records, including those of clients that bear no relationship to this case may be disclosed to Plaintiffs’ counsel when settlement in principle has been reached and the action itself is near final settlement. It may appear an improper use of subpoena authority to continue to pursue the non-party subpoenas under these circumstances.

Respectfully submitted,

/s/Wesley Mead/s/

Wesley Mead cc: All Counsel and parties of Record (via ECF) & Chase Bank Legal Dept.